

RCE 1283  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lambert DANNER et al  
Title: SPECTRAL ELLIPSOMETER HAVING A REFRACTIVE  
ILLUMINATING OPTICAL SYSTEM  
Appl. No.: 09/893,709  
Appl. Filing Date: 06/29/2001  
Examiner: S. Sugarman  
Art Unit: 2873 ✓

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. § 1.114: (check items that apply)

a. Previously submitted:

- ☐ Please enter and consider the amendment/reply previously filed on \_\_\_\_.
- ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_\_ but not considered.
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.
- ☐ Other \_\_\_\_.

b. Enclosed are:

08/07/2003 EFLORES 00000047 09893709

01 FC:1801 750.00 OP  
02 FC:1460 130.00 OP

- ☐ Affidavit(s)/Declaration(s).
- ☒ Information Disclosure Statement.
- ☒ Form PTO/SB/08 with copies of 34 listed reference(s).
- ☐ Other .

## Miscellaneous:

- ☒ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of 3 months.

The filing fee is calculated below:

|  | Claims<br>as<br>Amended |   | Previously<br>Paid For |   | Extra<br>Claims<br>Present |   | Rate     |   | Fee Totals |
|--|-------------------------|---|------------------------|---|----------------------------|---|----------|---|------------|
| RCE Fee<br>1.17(e)                                   |                         |   |                        |   |                            |   | \$750.00 |   | \$750.00   |
| Total Claims:  | <u>9</u>                | X | <u>20</u>              | = | <u>0</u>                   | x | \$18.00  | = | \$0.00     |
| Independents:  | <u>1</u>                | X | <u>3</u>               | = | <u>0</u>                   | x | \$84.00  | = | \$0.00     |
| First presentation of any Multiple Dependent Claims: |                         |   |                        |   |                            | + | \$280.00 | = | \$0.00     |
| CLAIMS FEE TOTAL:                                    |                         |   |                        |   |                            |   |          |   | \$750.00   |

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

|   |            |          |
|---|------------|----------|
| <input type="checkbox"/> Extension for response filed within the first month:                 | \$110.00   | \$0.00   |
| <input type="checkbox"/> Extension for response filed within the second month:                | \$410.00   | \$0.00   |
| <input type="checkbox"/> Extension for response filed within the third month:                 | \$930.00   | \$0.00   |
| <input type="checkbox"/> Extension for response filed within the fourth month:                | \$1,450.00 | \$0.00   |
| <input type="checkbox"/> Extension for response filed within the fifth month:                 | \$1,970.00 | \$0.00   |
| EXTENSION FEE TOTAL:  |            | \$0.00   |
| CLAIMS AND EXTENSION FEE TOTAL:   |            | \$750.00 |
| <input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):                       |            | \$0.00   |
| <input checked="" type="checkbox"/> Suspension of action requested under 37 C.F.R. § 1.103(c) |            | \$130.00 |
| TOTAL FEE:  |            | \$880.00 |

☐ Please charge Deposit Account No. 19-0741 in the amount of \$880.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$880.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: August 6, 2003

FOLEY & LARDNER  
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5426

Facsimile: (202) 672-5399

By

Glenn Law  
Attorney for Applicant  
Registration No. 34,371